

MORRIS, JAMES, HITCHENS & WILLIAMS LLP
Attorneys-at-Law

222 Delaware Avenue, 10th Floor
Wilmington, Delaware 19801-1621
(302) 888-6800
Facsimile (302) 571-1750
www.morrisjames.com

James W. Semple
(302) 888-6870
jsemple@morrisjames.com

Mailing Address
P.O. Box 2306
Wilmington, DE 19899-2306

March 28, 2006

John S. Spadaro, Esquire
Murphy, Spadaro & Landon
1011 Centre Road, Suite 210
Wilmington, DE 19805

Curtis P. Cheyney, III, Esquire
Schwartz Campbell
1601 Market Street
Philadelphia, PA 19103

Re: Eames v. Nationwide
C.A. No. 04-1324 KAJ

Gentlemen:

This will confirm that at this morning's teleconference occasioned by plaintiffs' Motion to Compel, I ruled as follows:

(1) The filing of the motion did not comply with Local Rule 7.1.1, or paragraph 3.f. of the Scheduling Order.

(2) Counsel for the parties are to meet and confer with respect to the issues raised by the motion in a good faith effort to resolve or minimize the disputes, and counsel shall report to me in writing by 5 p.m. on Monday, April 3, 2006 the results of the meet and confer consultations.

(3) Upon review of the submissions by counsel, I shall determine whether a Motion to Compel will be permitted, and its form and that of any responsive filings.

I also reminded counsel for Nationwide that, without prejudging any litigation position's merits, its discovery obligations *may* be broader than its litigation position as to what the word "full" means.

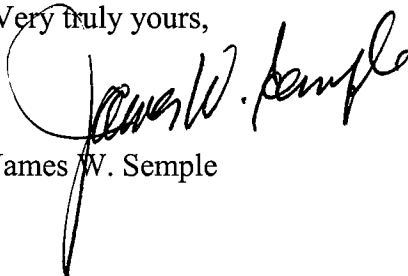
MORRIS, JAMES, HITCHENS & WILLIAMS LLP

John S. Spadero, Esquire
Curtis P. Cheyney, Esquire
March 28, 2006
Page2

I also reminded counsel that the party that is moving for relief or applying for relief must arrange for a court reporter.

I encourage counsel to listen to your adversary and to seek to build an agreement on his words rather than to attack them. I do expect progress to be made and that the dispute will be either resolved or significantly limited.

Very truly yours,

A handwritten signature in black ink, appearing to read "James W. Semple", is written over a circular stamp or seal.

James W. Semple

JWS/mmt

cc: The Honorable Kent A. Jordan
Clerk, U.S. District Court